

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts Southern  
District of Texas  
FILED

January 24, 2023

Nathan Ochsner, Clerk of Court

United States of America )

-v.- )

Misty ROBBINS-TORRES )  
YOB: 1981 COC: United States )Case No. 7:23-mj-143-1 )  
)  
)  
)

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 24, 2023 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

8 U.S.C. Section 1324(a)(1)(A)(ii)

knowing or in reckless disregard of the fact that aliens have come to, entered,  
or remain in the United States in violation of law, transports, or moves or  
attempts to transport or move such aliens within the United States by means  
of transportation or otherwise, in furtherance of such violation of law8 U.S.C. Section 1324(a)(1)(A)(v)  
(I)

Conspiracy to transport illegal aliens

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

/s/Lorenzo Botello CBP Enforcement Officer

Complainant's signature

Approved by: AUSA Daniel Chung

Submitted by reliable electronic means, sworn to and attested  
telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

Lorenzo Botello CBP Enforcement Officer

Printed name and title

Date: January 24, 2023 at 6:41 p.m.City and state: McAllen, Texas

Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

#### **Attachment A**

On January 24, 2023, Misty ROBBINS-TORRES (hereinafter ROBBINS-TORRES) attempted to enter the United States through the Donna, Texas Port of Entry as the driver of a vehicle containing four passengers – ROBBINS-TORRES' mother, ROBBINS-TORRES' daughter, M.F.R.G. (female, age 15), and A.G.G. (male, age 10).

At primary inspection, ROBBINS-TORRES stated that she was coming from a doctor's visit in Ciudad Victoria, Mexico and was headed back to McKinney, Texas. ROBBINS-TORRES stated that the children she was traveling with were her children. ROBBINS-TORRES presented a Texas Driver's License for herself, a Texas ID for her mother, a US passport for her daughter, a State of Texas Birth Certificate for A.G.G., and a County of Los Angeles Birth Certificate for M.F.R.G. The CBP Officer questioned M.F.R.G. and A.G.G., and the children were not able to answer questions related to their birth certificates and appeared extremely nervous. ROBBINS-TORRES interrupted the CBP Officer and claimed that the children were her nephew. ROBBINS-TORRES' vehicle was then referred for secondary inspection.

At secondary inspection, ROBBINS-TORRES admitted that the two birth certificates that she presented did not belong to M.F.R.G. and A.G.G. She stated that one of the birth certificates that she presented was her biological daughter's birth certificate and the other birth certificate belongs to her friend's son.

During a post-Miranda interview, ROBBINS-TORRES stated that she picked up the children at a bus station in Reynosa, Mexico. She also stated that she was planning to take the children to McKinney, Texas at the request of their mother.

Database queries on M.F.R.G. and A.G.G. revealed that they were citizens and nationals of Mexico and non-citizens of the United States with no legal status to enter the United States.